





## LAW REPORTS

## СОЮЗТ — МОХРАУ

rodona merchant. Mr. E. M. Stephen, official assignee.

John Hunt, sm., of near Newriver, tann-sinker and contractor. Mr. J. T. Lloyd, official assignee.

Neil Goss, of the City, near Tucka, painter. Mr. E. M. Stephen, official assignee.

The assigned estate of Edward John Tighe, late of Newmarket, stockbroker (deceased) and Frederick Butcher (trustees of such assigned estate). Mr. E. M. Stephen, official assignee.

Alfred Chew, of Lindfield, and John Foster, surveyor, solicitor. Mr. Norrie, official assignee.

CRIMINALS' PETITION.

William Soutar, of Sydney, sharebroker. Mr. John George Griffin, of Sydney. Petition to be heard on the 10th inst.

**METROPOLITAN DISTRICT COURT.**  
**MO. DAY.**  
*Before His Honor Mr. Justice (Court Judge) FOSBERG.*  
**BALSTON V. RICHMOND.**  
This was an action instituted by Wm. Balston and son, of Alexandria, to recover the value of a lot of land, of Newtown, the sum of \$454.60, being the amount alleged as due under a contract of carpentry and masonry of eight hundred and twenty and fifteen square feet, between the plaintiff and Wilson Greene, Newtown. The original contract price was \$112.46, of which sum the plaintiffs had received \$77.194.  
The issue gave a verdict for plaintiffs for \$35.00 ad.  
**LEWIS AND ANOTHER V. MUGGER.**  
The plaintiffs, Lewis and Kugel, plumbers and contractors, of Washington, and Earl H. Hughes, residing at the Golden Fleece Hotel, N. Y. City, for the re-

value of \$15 12c, being the amount due for the use and carriage of certain scaffolding used at the Elks halling rink, Bedford.

His Honor gave a verdict for plaintiff for \$15.50.

**METROPOLITAN QUARTER SESSIONS.**  
MONDAY.  
(Before his Honor Mr. District Court Judge  
M'FARLAND.)

**APPEALS AGAINST SUMMARY CONVICTIONS.**  
Thomas Royal, George Hannah, and John Maloy  
appeared against a summary conviction, before Mr. C.  
McIntyre S. M., at the Central Police Court on June  
10th, 1908, in the following cases:

When they were brought on a charge of assaulting John McLean on May 31, Mr. Macomber appeared in support of the conviction; Mr. Edmunds appeared for Royal; Mr. Glenn Gless, instructed by A. C. Hall, appeared for the other applicants. The grounds of appeal were that the prisoners were not guilty; that he evidence was not sufficient to sustain the conviction; that he was not guilty of the offense; and that the conviction was not contrary to law and against the weight of evidence.

His Honor dismissed the appeal.

Felix Cunningham appeared against a conviction before Captain Fisher, S.M., on June 13, on a charge of being a common woman, found wandering in

The grounds of appeal were that the defendant was not guilty, that the conviction was bad in law and

against the weight of evidence, and that the evidence did not support the information. His Honor dismissed the appeal.

Frederick Arthur Kuri appealed against a conviction before Mr. Benjamin Lee, S.M., at the Balmal New Court, of having obtained money by false promises, upon which he was sent for a month's imprisonment. Mr. Murdoch and Mr. Edward Roberts appeared for the appellant. There was no appearance in support of the conviction. The appeal was upheld and the conviction quashed.

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**LAW NOTICES.**

SUPREME COURT. — JUDICIAL, SEPTEMBER 15.

**Persons Licensed as Real Estate Agents:** Murphy v. Lawrence and another, same v. me, the Commercial Banking Company of Sydney v. Lacombe, Hilber v. Hillier.  
**Notary Public:** Harvey v. [blank] & [blank], Hong  
Hoo v. Hongkong Fire Insurance Company, Lokton v.  
Waterhouse.  
**Jury Court:** Patterson v. Corser, Coal-mining Shewing,  
Nelson, me & Winsor and spirit Company, Limited v. Irelan-  
path and wife, Peters v. Saunders, Hunter and another v.  
Kings.  
**Judges:**—At 9.45: Skinner v. Skinner, Robin v. Robin,  
Jannesson v. Jannesson, Latter v. Latter, Kato v. Kato,  
Otto v. Otto.  
**Honorary's Office.** Before Prothonotary: M'Intosh and  
Wilson, 10; Myring v. Caldwell, 11; Jackson v. Brown,  
12; [blank] v. [blank], North v. [blank].

2. Before Chief Clerk: Matchinson v. Proudford, 10.30;  
Harris v. Kritz, 11.  
Equity - At 11 a.m. Before his Honor the Chief Judge:  
McCann v. Lowry, part heard. Nube's Lapsorties Com-  
pany v. Lickner, hearing. Before the Master in Equity:  
Tuesday September 16, 1890, at 10 a.m.; Lancy masters,  
At 2 p.m.: Curwood v. Cornwell, on equity motion for  
the writ of habeas corpus, to set aside those Alabamian, deceased, to  
set the minutes of decree; Plesse v. Jones, to set minutes  
of decree.  
Before Deputy Registrar in Equity - At 12.30: The will of  
Simon Lutz, deceased, to read, cons. 3 p.m.: Gray v. Bell,  
to take cons.  
Bankruptcy, before Mr. Justice Manning - In Bank-  
ruptcy Jurisdiction: At 10. Forester, Flege, motion for  
the writ of habeas corpus, to set aside those Alabamian, deceased, to  
set the minutes of decree; Plesse v. Jones, to set minutes  
of decree.

motion for approval of directions: then Frederick McNamee, Esquire, motion for recess or adjourn; Patricia McNamee, motion for recess or adjourn; John E. Bannister, Esquire, then: seven, application for consolidation of estate In Ecclesiastical Jurisdiction: At 11, Baynes v. Hardie, Before the Registrar in Bankruptcy; At 11: Corlissine McNamee, William Deakin, John Patrick Allen, Marjorie, Cristoforo Angelo Fabris, James Clatsun Marx, hearing on proof of Ellen Marx; public examinations: Thomas O'Neil, Edward Davis, Sun Hing Loong and Co., bearing on account of Chung Shue; North British Insurance Co. of Shadler Kneeling and Co.; Edward Davies, hearing on proof of William Wright; At 11: Albert Carr, examination under section 60, At 2-8: Thomas O'Neil, hearing on affidavit; J. H. O'Connor, assistant, statement of time for account and plan.

the Supreme Court of New South Wales. Monday, the 13th day of September, A.D. 1881, is hereby ordered, that the trial of cases in Nos. 1, 2, and 3 Jury Courts will be continued on Monday, Tuesday, and Wednesday, the 22nd, 23rd, and 24th days of September instant.—*FARMER, J. H. DARLEY, C.J.; W. C. WILKINSON, J.; M. H. STUBBS, J.*

DISTRICT COURT.—**THURSDAY, SEPTEMBER 16,**  
(before his Honor Judge Forbes.)

Johnston v. Kingsbury, Cohen v. Shien, Cohen v. Shien, Lyons v. Menner.

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**POLICE.**

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Mr. C. Delahay, D.S.M., presided at the CENTRAL POLICE COURT yesterday. George Gordon Lillis and Charles Johnson were charged with having behaved in a riotous manner in Elizabeth-street. On Tuesday night the two used a wooden chair as a missile in a fight. They accused each other of having started the fight, and said it arose out of an argument on the strike. Each of the accused was fined 20s, or in default three days' imprisonment. "Alick," an Indian was charged with damaging porcelains of glass, value 10s, the property of Mahomed Khan. Alick pleaded guilty, and was ordered to pay a fine of 20s, and in default to be confined for 21 days. James Wilson was charged with receiving

James Fleming, a barmaid at the Burnington Hotel. Accused was fined £5, or in default two months' imprisonment. He also had to pay costs of £10. He and two other men, who were charged with him, had been assaulting Matthew Evans, his wife and two children, on the 11th inst. at the Burnington Hotel. The accused was further fined £5, with the option of 21 days in prison. Robert Threlfall was charged with having maliciously damaged the door, at the end of the street, of the property of Peter Blair and also with having used obscene and profane language in Castleburgh-street. Accused was ordered to pay the amount of the damages and a fine of £5, or, in default, to go to goal for 21 days.

Mr. G. W. F. Addison presided at the WATERBURY COURT. Walter Leckham, 50, charged with having no lawful visible means of support, was

to go for the two hoodlums. ARTHUR Price, 24, and Ernest Taylor, 16, who were charged with having been in the possession of a .32 W. Uglivie, 164 Bourke street, for an unlawful purpose; to, steal. On Saturday afternoon last the boys were seen by Constable Brown in the house in question stripping lead off some wood. They were sent to gaol for 48 hours. Edward Anderson, 14, labourer, charged with having played a certain game, to wit, in deceiving them, in Harcourt street, was fined 20s. In the option of seven days gaol. Felix O'Connell, 17, seaman on board the ship Christiana, and Thomas Allen, master of the same ship, for £8 14s 6d, due for wages. The captain contended that Allen had left to

At the NEWTON POLICE COURT, before Captain Leher, S.M., Edward Conlon, Jr., charged with having assisted a prisoner to resist a constable in the execution

the jury, was asked to, with the option of two number good.

Meena, J. Gilra, P.M., H. Byrnes, and J. Whitworth, J.A.P., disposed of the business at the FARRAR ATTA POLICE COURT. Cornelius Domingos was fined 6s for drunkenness and 40s or one month for using obscene language. Francis Teasdale and Henry Owen, charged with riotous behaviour, were remanded.

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### A SHOOTING AFFRAY.

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At the Central Police Court, on Monday, the 10th inst.,

On an outdoor parade float yesterday Antonio Jones was cursed with firing a revolver at one George Damper, with intent to kill, grievously and maliciously. It appears that Damper, who is a gangster on board H.M.S. Orlando, was coming through Hyde Park late on Sunday night on his way to his ship, when he met the prisoner. He asked him his name, but Jones replied in an insulting manner. Damper stood and looked at Jones, when the latter said he would do for him if he did not get out of the way. He then drew a revolver from his pocket and fired at Damper, but the bullet went about a foot wide of the mark. A man named Harvey Best, who was near at the time, shot

"VARIETY IS THE SPICE OF LIFE."—Readers of the *News* will see that NEW FEATURES are being constantly introduced. Its columns contain interesting

and denunciations of the community, no efforts being spared to render the bells the MORE POPULAR, RELIABLE, and READABLE EVERYING PAPER in New South Wales. The who, one penny.—(ADVT.)

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Unions throughout New South Wales and Victoria. It will be two or three days before the information will reach the whole of the stations. The object of the men is to so paralyse trade as to force the employer to give them what they will be paid.

to a conference when the men state they will not return to work. The president of the Intercolonial Conference (Mr. P. J. Brennan) states the necessity for 90 per cent. of the steamships and 100 per cent. of the coal. He says he will force the men to take this extreme stand, and predicts that within a short period the majority of the employers will concede the demands of the various unions.

has threatened to withdraw all its men from the strike. The Newcastles and Illawarra have been on strike for some several days, and the only colliers now working are a few small ones at Wollongong and Bulli not connected with the Newcastle and Illawarra companies. The steps to be taken by the Labour Defence Committee in the event of an endeavour to stop this source. Steps, it is said, will also be taken to induce the Queensland miners to adopt a similar measure.

**PROBABILITY OF THE WITHDRAWAL OF ALL UNION LABOUR.**

It appears to be the opinion of the members of the Intercolonial Conference Committee that the probability of the withdrawal of all union labour will be considered necessary to withdraw all union labour. The strike of the various trades will affect all other trades. The presence of no labour will hamper in any way the laying of the railway, the carrying of goods, carted by horse-drawn drays and draymen. Millers will be unable to

to forward flour to the bakers; slaughtermen and butchers will be thrown out of employment owing to the non-arrival of sheep and cattle from the stations. In fact, there is hardly one branch of industry that will be continued as in almost every instance the men will be required in some indirect way to handle or use goods manufactured or handled by non-union labour. The men estimate the number of unicorns in Australia at 10,000, and there is every probability within a few days of the whole of these men coming out on strike.

**TROLLEY AND DRAYMEN'S STRIKE.**

In accordance with the resolution arrived at last Sunday afternoon by the trolley and draymen's union, the city was without trolleys, draysmen, vanners, etc., commencing yesterday morning. Pickets from the union were stationed to the whole of the yards to instruct the men to come out, the result being that many more than anticipated came out today, failed to work. During the day 250 men were admitted into the union, making a total membership of 850. A few weeks ago the union numbered only 200. Great efforts were made yesterday by those on strike to induce men to join, with a considerable amount of success.

In many cases year-day the master carries on driving their own drays, and intend to continue to do so during the strike, and also to employ their former drivers.

The streets in proximity to the wharfs were yesterday morning altogether destitute of drays excepting those

owned by firms and produce merchants. A few of these were used in the transport of grain. The other traffic in the approaches to the wharfs consisted of the majority of cars owned by the firms and some of the cars of independent drivers. The licensed drivers have their vehicles on the usual stands. It seems that they are obliged to give notice to the Transit Commissioners at any time of their intention to leave their post, and that if they were to refuse to execute any orders entrusted to them before having given such notice they would be subject to fines. It is doubted by some of the witnesses whether such a duty should be given at the present time, and under what special circumstances.

accepted otherwise than on the understanding that their licenses should be forfeited. Hitherto most of the car-railway employees have been working on an average 16 hours a day, and, on the 12th of the month, they were on strike when they generally concluded their day's work at 6 o'clock in the afternoon. On Sundays also they had to attend to their horses, for which they received an additional remuneration. It is not surprising, therefore, to find a lack of sympathy for the labour body in the present difficulty, who have taken the opportunity to ask of their employers certain concessions before resuming work. They claim that the wages should be 12s. 6d. per week, and that the hours should be 12, 10, 8, and 5, for the morning, afternoon, and night, and 5d. for every additional horse, the day's work to consist of 12 hours, inclusive of the time to be set apart for meals, and that a car-railway work shall cease all at once for the purpose of the strike. It is to be hoped that the employers will, in this case, be as lenient as in the case of the millwrights, and bring labour only to a temporary stop.

**MARTIN CARRIERS' MEETING.**  
Last night a meeting of the recently-formed Master Carriers' Association of New South Wales, was held at Fuller's, Launceston, Pitt-street, to consider what steps should be taken to bring an end to the strike. About 25 employers were present.

It was decided to forward the following circular to the carriers, and to notify them by all means possible that all goods belonging to their firm from this ship's side, and cannot hold themselves responsible for any loss or damage.

It was stated that the Labour League Committee had notified several employers that they were to be liable for any loss or damage to certain descriptions of goods by applying to the secretary of the committee for a receipt. It was decided to move the following resolution, which was unanimously agreed to:—That this meeting publicly disavows any connection with the strike, and that they wish their houses to be free from any connection with the association is to do all in the power to assist the merchants, and to keep State protection for the men they intend to employ.

**SCENE AT McMAHON'S YARD.**  
Yesterday morning a scene occurred outside Mr. McMahon's Yards in Redfern. According to the statements made by the men and Mrs. McMahon it was the result of a dispute between Mr. Whistler, the Trolley and Draymen's Union, together with Mr. Louis Carlo, a picket from the Labor Unemployed Union, stood outside the yard for the purpose of preventing the trucks from being loaded. Mr. McMahon, stated that the pickets used violent language, and intimidated his men, and losing his temper he rushed at Carlo, and struck him on the head with a stone from a sack. Mr. Whistler condemned Carlo's conduct, and told him to get out of the yard to the Prince Alfred Hospital. He is not much injured.

**PREPARATION OF A DELEGATE.**  
Mr. J. D. Fitzgerald, a member of the Typographic Association, left for England per the Orient Company's R.M.S. Curlew yesterday. He is the accredited representative of the Association.

**STRIKE FUND.**  
The Caterers' Employees last evening voted £50 for the *Stonemasons*, £200 for *Australian Engineers*, £250 for *Electricians*, £250 for *Boilermakers*, £250 for *Blacksmiths*, and 2s 6d levied per member per week; and the Furniture Trade £7 10s per week towards the strike fund.

reduction of the number of public lamps and also a letter from the Principal Under-Secretary upon the subject of a warning of a possible gas alarm. It was then proved that the request of the Gas Company had not been acceded to, and in doing so spoke against the company's request. Alderman Simpson, in seconding the resolution, pointed out that the agreement signed by the company was to the effect that if the Gas Company's company shall be prevented by strikes from manufacturing gas, the company shall not be compelled to supply any lamps with gas during such strikes." He contended that the Gas Company had not been prevented from supplying gas, and he said that he was not a speaker for his views. Alderman Jones moved for an amendment. "That though this council requires the imposition proposed to be enforced upon the council to place the borough on a short notice, it is recommended that the council should have made provision for such an event." After a somewhat acrimonious debate the amendment was

carried. The Colonial Secretary's letter re-sponding to the letter was not received until some time was then sent, whereupon Alderman Simpson wrote to the Colonial Secretary, enclosing a paper basket," as he did not believe anything existed for the purpose of the letter, and, as a result, such a course, and considered the swearing in of constables was a menace to good order. Alderman Simpson recommended the action. Alderman Archer and the Mayor were all of the opinion that the Mayor had seen the town invaded by companies of liverymen when the local police were not capable of maintaining order. He urged the necessity of special constables being sworn in by this time before the summer months, and the necessity of the Mayor, the Mayor and the Mayor, and the Mayor, and the Mayor. Eventually, after several divisions, it was resolved that the matter should be left in the hands of the Mayor.

streets, Ulsch, last evening. Mr. Peter Strong (Trades Union and Labour Council) presided. The chairman, in his opening remarks, said that it was trades-unionism that was the worst enemy the power he cherished had. He said that the reason why they had to have the ballot-box—If the reformers had not done this, it would be almost all the great reforms enjoyed to-day resulted from the combining of the working classes in fighting at the ballot-box. They could only hope to fight capital successfully by combination. The capitalists were bragging about free labourers being numerous but it was a fact that the vessels leaving port were carrying about half the cargo they carried when the labourers were working then. There were two objects of the reform, the first was to ensure the residents of the Ghetto to be satisfied of the true facts leading up to the strike and

second object was to appeal to them for funds to carry on the fight. The capitalists objected to boycotting which, however, they had been the first to practice.

Mr. HERRBERT, President of the Maritime Council under the Labour Defence Committee had found it necessary to place the real facts in connection with the strike before the public. The strike in its first place had been brought about through the action of the capitalists. The marine workers had been asked by the employers to meet them in conference. The employers consented, but when the time came they were not there. They said that if the others did not settle with any other society, then, perhaps, they might meet and consider their demands. A few years ago the capitalists had an association and that association had

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